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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,517	03/09/2004	Craig D. Johnson	68.0322	2516
35204 7590 02/07/2007 SCHLUMBERGER RESERVOIR COMPLETIONS 14910 AIRLINE ROAD ROSHARON, TX 77583			EXAMINER DUNWOODY, AARON M	
			ART UNIT 3679	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/708,517	Applicant(s) JOHNSON ET AL.	
	Examiner Aaron M. Dunwoody	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7,9,11,12,14,16,18,22 and 97-105 is/are pending in the application.
- 4a) Of the above claim(s) 101-105 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7,9,11,12,14,16,18,22 and 97-100 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/18/2006 has been entered.

Election/Restrictions

Claims 101-105 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 7/13/2006.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7, 11 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 only functional recites the tubular member, but claim 7 further defines the non-claimed, functional tubular element.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7, 9, 11, 12, 14, 16, 18, 22 and 97-100 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 4732414, Inaba.

In regards to claims 1 and 97, in Figures 1-3, Inaba discloses an apparatus comprising:

a first connector to connect a first tubing section and a second tubing section together, the connector comprising a body (1,3) comprising:

a first opening concentric with an axis to receive the first tubing section;

a second opening concentric with the axis to receive the second tubing section;

and

a passageway eccentric with respect to the axis to communicate fluid after the first and second tubing sections are connected together by the body; and

a member (2) adapted to be moved from a retracted position to an extended position to form a sealed connection between a tubular member that is connected to the first tubing section and the passageway.

Note, the tubular member is not considered part of the claimed invention.

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In regards to claim 2, Inaba discloses the first tubing section comprises a first production tubing section and the second tubing section comprises a second production tubing section.

In regards to claim 3, Inaba discloses the first tubing section comprises a first injection tubing section and the second tubing section comprises a second injection tubing section.

In regards to claim 4, Inaba discloses the member comprises a sleeve adapted to move between the retracted position and the extended position.

In regards to claim 5, Inaba discloses sleeve is adapted to slide between the retracted position and the extended position.

In regards to claim 7, Inaba discloses the tubular member comprises another body comprising another passageway adapted to align with the passageway of the body of the connector, and the member is adapted to be moved to the extended position to bridge a gap created with the first and second sections are received the first and second openings to form a fluid seal between the passageway of the body and the another passageway.

In regards to claim 9, Inaba discloses the member comprises a sleeve is adapted to be moved to the extended position to bridge a gap between the tubular member and the body of the connector.

In regards to claim 11, Inaba discloses the body of the connector is formed from a single piece of material.

In regards to claim 12, Inaba discloses the first opening comprises a tapered opening to receive the first tubing section.

In regards to claim 14, Inaba discloses the member comprises a sleeve adapted to bridge a gap between the body of the connector and the tubular member, the apparatus further comprising: a sealing element located between the sleeve and the tubular member.

In regards to claim 16, Inaba discloses the sealing element is located on an exterior surface of an annular face of the second body.

In regards to claim 17, Inaba discloses the first body comprises a passageway to establish communication through the first body between the first tubular member and the second tubular member, and the sleeve is adapted to form a seal between a wall of the passageway and the sleeve.

In regards to claim 18, Inaba discloses the member comprises a sleeve adapted to closely circumscribe the first tubular member and move between the retracted position and the extended position.

In regards to claim 19, Inaba discloses a first body attached to the first tubing section and being mounted to the sleeve, and a second body separate from the first body and being mounted to the second tubing section.

In regards to claim 22, Inaba discloses the member is eccentric with respect to the first tubing section.

In regards to claim 98, Inaba discloses the sleeve is adapted to bridge a gap created between the first and second bodies after the first and second tubing sections are received by the first and second openings of the first body.

In regards to claim 99, Inaba discloses each of the first and second bodies are formed from a single piece of material.

In regards to claim 100, Inaba discloses at least one of the first and second openings comprises a tapered opening.

Response to Arguments

Applicant's arguments with respect to claims above have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Dunwoody whose telephone number is 571-272-7080. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Aaron M Dunwoody
Primary Examiner
Art Unit 3679

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